

****ATTENTION****

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Deer or Elk Damage?

What To Do

A step-by-step guide to the Washington Department of Wildlife damage claim system.

If you're a landowner who allows public hunting on your property, and you suffer deer or elk damage to that property, here's how you can get help:

1. When deer or elk are damaging your crops or property, *immediately* contact your local Washington Department of Wildlife (WDW) enforcement agent to report the damage. (A list of agents by community is available.) If you qualify for damage assistance, a WDW agent will visit your property, usually within 48 hours, to assess the damage and recommend ways to relieve it. *It's important that you make this report when damage is actually occurring because payments for damage, if any, are dependent on a WDW assessment.*

2. After assessing the situation, WDW agents will show you how to move the offending animals. They may provide you with noise-making devices (propane guns, firecrackers, cracker shells, etc.). Other options may include elk

herding between March and August. If your problem is with deer or elk eating your haystacks, WDW agents may loan you panels to protect them or assist you in constructing your own panels.

3. If these efforts fail to take care of your problem, and if WDW agents agree that the damage is serious, WDW agents may decide to conduct a "hot spot" hunt on your property. A hot spot hunt uses licensed hunters, drawn from a ready pool of applicants, to kill a minimum number of the offending animals, and drive the rest away. Landowner kill permits might also be issued.

4. If you qualify for compensation for crop losses or other damage, you can:

A) request replacement hay directly from WDW locally;

B) request payment of up to \$500 from WDW locally or;

C) file a formal damage claim.

Any one of these options can only be pursued within 90 days of when you discovered the damage, and only if you notified WDW of the

damage at the time it occurred.
(RCW 77.12.290)

A) To receive replacement hay, you and your local WDW agent must agree on the dollar value of your damage. The cost of the replacement hay cannot exceed \$2,000, based on average local hay price at the time. You must also agree that the exchange, hay for damage, is full and final payment.

B) To receive up to \$500, you and your local WDW agent must agree on the dollar value of your damage, and the agent must request payment through the WDW regional office. If the request is approved at that level, a check will be sent to you within 15 days.

C) To file a formal damage claim, ask your local WDW agent for an "Application For Deer/Elk Damage Payment" form. On this form, you must report:

- the legal location and size of your property,
- the type and amount of damage,
- the dates of damage discovery and WDW notification,
- any actions you took to prevent or reduce the damage,
- whether your property is closed to hunting,

DEER OR ELK DAMAGE?

- how your damage was evaluated,
- what other factors, other than wildlife, might cause damage (disease, insects weather, etc.), and
- the amount of your claim.

You and a notary public must sign the completed form, and mail it to WDW's Olympia headquarters office within 90 days after discovery of the damage, as directed on the form.

Your local WDW agent will be requested to investigate your claim and report the same kind of information — amount and value of damage, cause, dates, etc. Within 60 days of receipt of your claim, you will receive full or partial payment, or you will be notified that your claim has been denied, for whatever reason.

If you are not satisfied with the disposition of your claim, or if your claim has not been settled within

120 days of your filing, you can appeal your claim by sending the WDW director a "notice of intent to arbitrate" through registered mail (or personally delivered). In that notice you must name an arbitrator, someone you choose to help settle the dispute. In response, the WDW director will also choose an arbitrator. Your arbitrator and WDW's arbitrator will then choose a third arbitrator to help them come to an agreement on an amount to advise WDW to pay you for damage.

If you want to claim more than \$2,000 in deer or elk damage or your claim has not been settled within one year, the final decision on your claim will be made by the Washington Legislature. In all cases you must file your claim with WDW within 90 days after you discover the damage.

**IF YOU HAVE FURTHER QUESTIONS
ABOUT THIS PROCESS, PLEASE
CONTACT YOUR LOCAL WDW AGENT.**

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The department receives Federal Aid for fish and wildlife restoration.

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